

AMENDED IN ASSEMBLY JULY 6, 2015

AMENDED IN ASSEMBLY JUNE 19, 2015

SENATE BILL

No. 786

Introduced by Senator Allen

February 27, 2015

An act to amend ~~Section 84830~~ of Sections 84907 and 84908 of, and to add Section 84908.5 to, the Education Code, relating to adult education.

LEGISLATIVE COUNSEL'S DIGEST

SB 786, as amended, Allen. Adult education: ~~regional consortia~~. *Adult Education Block Grant Program.*

Existing law establishes the Adult Education Block Grant Program under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public Instruction. The program requires the chancellor and the Superintendent, with the advice of the Executive Director of the State Board of Education, to divide the state into adult education regions and approve one adult education consortium in each adult education region, as specified. The program also requires the chancellor and the Superintendent, with the advice of the executive director, to certify, no later than July 31, 2015, the amount of state funds required to be expended for adult education by a school district and county office of education, as specified. The program further requires the chancellor and the Superintendent to apportion funds appropriated for the program in the Budget Act of 2015 to each school district and county office of education by August 30, 2015, in accordance with a specified formula and, by October 30, 2015, to allocate the funds that remain after the apportionment to each consortium, as specified.

This bill would also provide that the chancellor and the Superintendent, with the advice of the executive director, (1) certify the amount of state funds required to be expended for adult education by joint powers authorities consisting of one or more community colleges, school districts, or county offices of education, or a combination of these, (2) apportion an amount to each of these joint powers authorities in accordance with the same formula, and (3) allocate to each consortium the funds that remain after this apportionment, as specified. In regard to these joint powers authorities, the deadlines in existing law would not apply.

Existing law, pursuant to funding made available in the annual Budget Act, requires the Chancellor of the California Community Colleges and the State Department of Education to jointly provide 2-year planning and implementation grants to regional consortia of community college districts and school districts for purposes of developing regional plans to better serve the educational needs of adults.

~~This bill would authorize a county office of education and joint powers authority consisting of community college districts, school districts, county offices of education, or a combination of these, to join a regional consortium for these purposes.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 84907 of the Education Code is amended
2 to read:
3 84907. No later than July 31, 2015, the chancellor and the
4 Superintendent, with the advice of the executive director, shall
5 certify, for each school ~~district~~ and *district*, county office of
6 education, or joint powers authority consisting of one or more
7 community college districts, school districts, or county offices of
8 education, or a combination of these, the amount of state funds
9 required to be expended for adult education pursuant to paragraph
10 (7) of subdivision (a) of Section 42238.03, and paragraph (3) of
11 subdivision (k) of Section 2575, respectively.
12 SEC. 2. Section 84908 of the Education Code is amended to
13 read:
14 84908. (a) If the total amount certified for all school ~~districts~~
15 and *districts*, county offices of ~~education~~ *education*, and joint

1 *powers authorities* pursuant to Section 84907 is less than three
2 hundred seventy-five million dollars (\$375,000,000), the chancellor
3 and the Superintendent shall do both of the following:

4 (1) Apportion funds appropriated for the program in the Budget
5 Act of 2015, no later than August 30, 2015, to each school ~~district~~
6 ~~or district~~, county office of ~~education~~ *education, or joint powers*
7 *authority* in an amount equal to the amount certified for that school
8 ~~district or district~~, county office of ~~education~~ *education, or joint*
9 *powers authority*, pursuant to Section 84907. As a condition of
10 receipt of an apportionment, a school ~~district or district~~, county
11 office of ~~education~~ *education, or joint powers authority* is required
12 to be a member of a consortium.

13 (2) (A) (i) With the concurrence of the executive director,
14 approve a schedule of allocations to each consortium, no later than
15 October 30, 2015, of any funds appropriated for the program in
16 the Budget Act of 2015 that remain after funds have been
17 apportioned pursuant to paragraph (1).

18 (ii) The chancellor and the Superintendent shall determine the
19 amount to be allocated to each consortium pursuant to this
20 paragraph based on that adult education region's share of the
21 statewide need for adult education.

22 (B) Using the schedule approved pursuant to subparagraph (A),
23 the chancellor and the Superintendent shall do one of the following
24 for each consortium:

25 (i) Apportion funds to a fund administrator designated by the
26 members of a consortium beginning no more than 30 days after
27 approval of the schedule pursuant to subparagraph (A).

28 (ii) Apportion funds to members of a consortium beginning no
29 more than 30 days after receipt of a final distribution schedule
30 from that consortium.

31 (b) If the total amount certified for all school ~~districts and~~
32 ~~districts~~, county offices of ~~education~~ *education, and joint powers*
33 *authorities* pursuant to Section 84907 equals or exceeds three
34 hundred seventy-five million dollars (\$375,000,000), the chancellor
35 and the Superintendent shall do both of the following:

36 (1) Apportion funds appropriated for the program in the Budget
37 Act of 2015, no later than August 30, 2015, to each school ~~district~~
38 ~~or district~~, county office of ~~education~~ *education, or joint powers*
39 *authority* in an amount equal to the amount certified for that school
40 ~~district or district~~, county office of ~~education~~ *education, or joint*

1 *powers authority* pursuant to Section 84907 multiplied by three
 2 hundred seventy-five million dollars (\$375,000,000), divided by
 3 the total amount certified for all school ~~districts and~~ *districts,*
 4 county offices of ~~education~~ *education, and joint powers authorities*
 5 pursuant to Section 84907.

6 (2) (A) (i) With the concurrence of the executive director,
 7 approve a schedule of allocations to each consortium, no later than
 8 October 30, 2015, of any funds appropriated for this program in
 9 the Budget Act of 2015 that remain after funds have been
 10 apportioned pursuant to paragraph (1).

11 (ii) The chancellor and the Superintendent shall determine the
 12 amount to be allocated to each consortium pursuant to this
 13 paragraph based on that adult education region’s share of the
 14 statewide need for adult education.

15 (B) Using the schedule approved pursuant to subparagraph (A),
 16 the chancellor and the Superintendent shall do one of the following
 17 for each consortium:

18 (i) Apportion funds to a fund administrator designated by the
 19 members of a consortium beginning no more than 30 days after
 20 approval of the schedule pursuant to subparagraph (A).

21 (ii) Apportion funds to members of a consortium beginning no
 22 more than 30 days after receipt of a final distribution schedule
 23 from that consortium.

24 (c) This section shall become inoperative on July 1, 2016, and,
 25 as of January 1, 2017, is repealed, unless a later enacted statute,
 26 that becomes operative on or before January 1, 2017, deletes or
 27 extends the dates on which it becomes inoperative and is repealed.

28 *SEC. 3. Section 84908.5 is added to the Education Code, to*
 29 *read:*

30 *84908.5. The chancellor and the Superintendent may certify,*
 31 *as required in Section 84907, and apportion, as required in Section*
 32 *84908, funds after the dates enumerated in those sections for a*
 33 *joint powers authority consisting of one or more community college*
 34 *districts, school districts, county offices of education, or a*
 35 *combination of these.*

36 ~~SECTION 1. Section 84830 of the Education Code is amended~~
 37 ~~to read:~~

38 ~~84830.—(a) The Chancellor of the California Community~~
 39 ~~Colleges and the State Department of Education shall, pursuant to~~
 40 ~~funding made available in the annual Budget Act, jointly provide~~

1 two-year planning and implementation grants to regional consortia
2 for the purpose of developing regional plans to better serve the
3 educational needs of adults. A regional consortium may be
4 composed of community college districts, school districts, county
5 offices of education, or joint powers authorities, or a combination
6 of these, provided that any joint powers authority for this purpose
7 shall be composed of community college districts, school districts,
8 county offices of education, or a combination of these.

9 (1) Eligibility shall be limited to consortia consisting of at least
10 one community college district and at least one school district
11 within the boundaries of the community college district, either of
12 which may serve as the consortium's fiscal agent, as determined
13 by the applicant consortium.

14 (2) If a community college district chooses not to participate in
15 a consortium, a neighboring community college district may form
16 a consortium with school districts within the boundaries of the
17 nonparticipating community college district.

18 (3) Consortia may include other entities providing adult
19 education courses, including, but not necessarily limited to,
20 correctional facilities, other local public entities, and
21 community-based organizations.

22 (b) Grant funds provided pursuant to this section shall be used
23 by each regional consortium to create and implement a plan to
24 better provide adults in its region with all of the following:

25 (1) Elementary and secondary basic skills, including classes
26 required for a high school diploma or high school equivalency
27 certificate.

28 (2) Classes and courses for immigrants eligible for educational
29 services in citizenship and English as a second language, and
30 workforce preparation classes in basic skills.

31 (3) Education programs for adults with disabilities.

32 (4) Short-term career technical education programs with high
33 employment potential.

34 (5) Programs for apprentices.

35 (e) (1) The classes and courses described in paragraphs (1) and
36 (2) of subdivision (b) shall distribute basic information on
37 American government and civics that includes, but is not limited
38 to, instruction on all of the following:

39 (A) Federal, state, and local government.

40 (B) The three branches of government.

1 ~~(C) The importance of civic engagement.~~

2 ~~(D) Registering to vote.~~

3 ~~(2) It is the intent of the Legislature that, consistent with the~~
4 ~~requirements of Sections 51225.3 and 52555, students enrolled in~~
5 ~~classes and courses described in paragraphs (1) and (2) of~~
6 ~~subdivision (b) in which instruction in American government and~~
7 ~~civics is appropriate shall receive instruction in American~~
8 ~~government and civics.~~

9 ~~(d) Each regional consortium's plan shall include, at a minimum:~~

10 ~~(1) An evaluation of current levels and types of adult education~~
11 ~~programs within its region, including education for adults in~~
12 ~~correctional facilities; credit, noncredit, and enhanced noncredit~~
13 ~~adult education coursework; and programs funded through Title~~
14 ~~H of the federal Workforce Investment Act of 1998, known as the~~
15 ~~Adult Education and Family Literacy Act (Public Law 105-220).~~

16 ~~(2) An evaluation of current needs for adult education programs~~
17 ~~within its region.~~

18 ~~(3) Plans for parties that make up the consortium to integrate~~
19 ~~their existing programs and create seamless transitions into~~
20 ~~postsecondary education or the workforce.~~

21 ~~(4) Plans to address the gaps identified pursuant to paragraphs~~
22 ~~(1) and (2).~~

23 ~~(5) Plans to employ approaches proven to accelerate a student's~~
24 ~~progress toward his or her academic or career goals, such as~~
25 ~~contextualized basic skills and career technical education, and~~
26 ~~other joint programming strategies between adult education and~~
27 ~~career technical education.~~

28 ~~(6) Plans to collaborate in the provision of ongoing professional~~
29 ~~development opportunities for faculty and other staff to help them~~
30 ~~achieve greater program integration and improve student outcomes.~~

31 ~~(7) Plans to leverage existing regional structures, including, but~~
32 ~~not necessarily limited to, local workforce investment areas.~~

33 ~~(e) The Chancellor of the California Community Colleges and~~
34 ~~the State Department of Education may identify additional elements~~
35 ~~that consortia must include in a plan.~~

36 ~~(f) (1) On or before March 1, 2014, the Chancellor of the~~
37 ~~California Community Colleges and the State Department of~~
38 ~~Education shall submit a joint report to the Legislature and the~~
39 ~~Governor. This report shall include, but not necessarily be limited~~
40 ~~to, both of the following:~~

- 1 ~~(A) The status of developing regional consortia across the state,~~
2 ~~including identification of unserved geographic areas or emerging~~
3 ~~gaps in regional program delivery.~~
4 ~~(B) The status and allocation of grant awards made to regional~~
5 ~~consortia.~~
6 ~~(2) The report shall be submitted to the Legislature as provided~~
7 ~~in Section 9795 of the Government Code.~~
8 ~~(g) (1) On or before March 1, 2015, the Chancellor of the~~
9 ~~California Community Colleges and the State Department of~~
10 ~~Education shall submit a joint report to the Legislature and the~~
11 ~~Governor. This report shall include, but is not limited to, both of~~
12 ~~the following:~~
13 ~~(A) The plans developed by regional consortia across the state.~~
14 ~~(B) Recommendations for additional improvements in the~~
15 ~~delivery system serving adult learners.~~
16 ~~(2) The report shall be submitted to the Legislature as provided~~
17 ~~in Section 9795 of the Government Code.~~
18 ~~(h) It is the intent of the Legislature to work toward developing~~
19 ~~common policies related to adult education affecting adult schools~~
20 ~~at local educational agencies and community colleges, including~~
21 ~~policies on fees and funding levels.~~
22 ~~(i) It is the intent of the Legislature to provide additional funding~~
23 ~~in the 2015–16 fiscal year to regional consortia to expand and~~
24 ~~improve the provision of adult education.~~